

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
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SOUTHERN DISTRICT
OF INDIANA
LAURA L. BRIGGS
CLERK

gm

SHAUNNE OLSON,

Plaintiff,

4:06-CV-0154 SEB - WGH

-vs-

Case No:

HORNBLOWER MARINE SERVICES, INC.,

Defendant.

O'BRYAN BAUN COHEN KUEBLER
DENNIS M. O'BRYAN (P30545)
Attorney for Plaintiff
401 S. Old Woodward, Suite 320
Birmingham, MI 48009
(248) 258-6262
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dob@obryanlaw.net

COMPLAINT

NOW COMES Plaintiff, by and through counsel undersigned, O'BRYAN BAUN COHEN KUEBLER, complaining against Defendant as follows:

1. Jurisdiction and venue lie in this action, Defendant conducting business within this forum's boundaries.
2. Jurisdiction is founded under the Jones Act (46 USC 688) for negligence, and under the General Maritime Law for unseaworthiness, maintenance, cure, and wages.

3. At all times material to issues herein Plaintiff served as an employee of Defendant serving as a crew member aboard its vessels, with all acts and/or omissions giving rise to this action occurring in the course of Plaintiff's employment in the service of his ship.

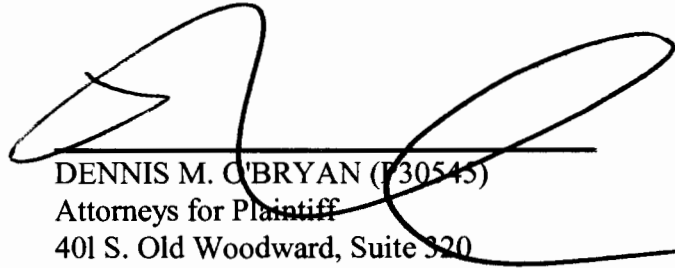
4. On or about May 25, 2006, Plaintiff was in the course of employment when he was required to engage in lifting activities in a manner awkward for the purposes intended requiring improper body mechanics when as a result of said failure to provide a safe place to work and seaworthy vessel he was injured with Defendant thereafter refusing, neglecting or otherwise not fulfilling its obligation to provide maintenance and cure thereby aggravating the underlying condition.

5. Defendant's tortious acts aforesaid caused or contributed to Plaintiff's damages, inter alia, as follows:

- a. Pain and suffering, past future;
- b. Mortification, humiliation, fright shock and embarrassment;
- c. Loss of earnings and earning capacity;
- d. Hospital, pharmaceutical and other cure expenses;
- e. Aggravation of prior condition, if any there be;
- f. Inability to engage in social, recreational, and other pursuits previously enjoyed;
- g. Mental anguish;
- h. Found;
- i. Maintenance, cure, wages and/or attorney fees.

WHEREFORE, Plaintiff demands trial by jury and judgment against Defendant, together with interest, costs, attorney fees and expenses, all to be methodically adjusted upwards during the pendency of this cause.

O'BRYAN BAUN COHEN KUEBLER

A large, stylized handwritten signature in black ink, appearing to read 'Dennis M. O'Bryan', is written over a horizontal line.

DENNIS M. O'BRYAN (F30545)

Attorneys for Plaintiff

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Dated: October 18, 2006

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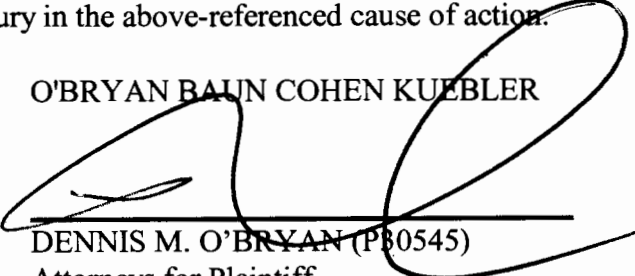
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_____ /

DEMAND FOR TRIAL BY JURY

NOW COMES Plaintiff by and through counsel undersigned, O'BRYAN BAUN COHEN KUEBLER, and hereby demands trial by jury in the above-referenced cause of action.

O'BRYAN BAUN COHEN KUEBLER



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